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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/740,212	12/15/2000	William J. Young	P4803	4343
32658	7590	05/21/2004	EXAMINER	
HOGAN & HARTSON LLP ONE TABOR CENTER, SUITE 1500 1200 SEVENTEEN ST. DENVER, CO 80202			MAHMOUDI, HASSAN	
			ART UNIT	PAPER NUMBER
			2175	17

DATE MAILED: 05/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/740,212

Applicant(s)

YOUNG ET AL.

Examiner

Tony Mahmoudi

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-12 and 19-26 is/are allowed.
- 6) ☒ Claim(s) 13-16 and 18 is/are rejected.
- 7) ☒ Claim(s) 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.


Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


DOV POROVICI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's Request for Continued Examination (RCE) submission filed on 12-March-2004 has been entered. In addition, the "Amendment and Response to Final Office Action, filed on 29-January-2004, has been entered for the continued examination of this application.

Remarks

2. In response to communications filed on 29-January-2004, claims 1, 8, 19, and 22 have been amended per applicant's request. Claims 1-26 are presently pending in the application.

Specification

3. The specification is objected to because the arrangement of the disclosed application does not conform with 37 CFR 1.77(b).

Section heading appear **boldfaced** throughout the disclosed specification. Section headings should not be **boldfaced**. Appropriate corrections are required according to the guidelines provided below:

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4. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 13-16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jammes et al (U.S. Patent No. 6,484,149) in view of Blumenthal (U.S. patent No. 6,026,409.)

As to claim 13, Jammes et al teaches a method for querying a database in response to data access requests issued by an application program (see Abstract), the method comprising the steps of:

storing queries (see column 8, lines 53-59), corresponding to the data access requests, in a text file (see column 16, lines 42-45) wherein the queries are formatted in accordance with the syntax required by the database (see column 20, lines 32-44);

reading the text file (see column 46, lines 23-31);

submitting, to the database, in response to one of the data access requests, one of the queries corresponding to the one of the data access requests (see column 16, lines 42-45), and

retrieving the results of the query (see column 16, lines 45-49.)

Jammes et al does not teach generating a query lookup table containing the queries.

Blumenthal teaches system and method for visual search and retrieval of information (see Abstract), in which he teaches generating a query (see column 19, lines 59-65) lookup table containing the queries (see figure 12B, see column 16, lines 18-29, and see column 17, lines 54-59.)

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Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Jammes et al to include generating a query lookup table containing the queries.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Jammes et al with the teachings of Blumenthal, because generating a query lookup table containing the queries would increase the speed of viewing and selecting queries, resulting in a faster decision process, and referencing the lookup table, would determine any association between a query and its associated parameters/properties, as taught by Blumenthal, (see column 16, lines 18-29.)

As to claim 14, Jammes et al as modified teaches wherein the database interface function also formats the results of the query (see Blumenthal, column 15, lines 32-41.)

As to claim 15, Jammes et al as modified teaches wherein the database interface function also returns the results of the query after the results have been formatted (see Jammes et al, column 20, lines 56-60, and see Blumenthal, column 5, lines 53-60, and see column 15, line 32 through column 16, line 6.)

As to claim 16, Jammes et al as modified teaches wherein the queries in the query lookup table are located by name in response to one of the data access requests (see Blumenthal, figure 12C, see column 9, lines 28-42, column 13, lines 44-49, and see column 22, lines 21-29.)

As to claim 18, Jammes et al as modified teaches wherein the queries in the text file are SQL strings (see Jammes et al, column 19, lines 9-19.)

Allowable Subject Matter

7. Claims 1-12 and 19-26 are allowed over the prior art made of record.

8. The following is a statement of reasons for allowance:

The applicant's amendment After Final, filed on 29-January-2004, overcomes the cited prior art with respect to the independent claims 1, 8, 19, and 22, as follows:

The prior art of record, Jammes et al (U.S. Patent No. 6,484,149), Memmott et al (U.S. Patent No. 6,560,591), Larson (U.S. Patent No. 6,115,705), and Blumenthal (U.S. Patent No. 6,026,409) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

wherein, in response to one of said data access requests issued to the database, the database interface function selects the query lookup table from among other query lookup tables containing queries formatted for other databases, locates the query in the selected lookup table corresponding to the issued data access request, sends the query to the database, and retrieves results of the query, as claimed in claim 1.

Claims 2-7 are allowed over the prior art made of record, because they are dependent from the allowed independent claim 1.

The prior art of record, Jammes et al (U.S. Patent No. 6,484,149), Memmott et al (U.S. Patent No. 6,560,591), Larson (U.S. Patent No. 6,115,705), and Blumenthal (U.S. Patent No. 6,026,409) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

wherein, in response to one of said data access requests issued to one of said databases, the database interface function selects the query lookup table containing the queries formatted in accordance with the database, locates the query in the selected lookup table corresponding to the issued data access request, sends the query to the database, and retrieves results of the query, as claimed in claim 8.

Claims 9-12 are allowed over the prior art made of record, because they are dependent from the allowed independent claim 8.

The prior art of record, Jammes et al (U.S. Patent No. 6,484,149), Memmott et al (U.S. Patent No. 6,560,591), Larson (U.S. Patent No. 6,115,705), and Blumenthal (U.S. Patent No. 6,026,409) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

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receiving, from the application program, one of said data access requests including at least one parameter associated therewith;

selecting the query lookup table containing the queries formatted in accordance with the database from among other query lookup tables containing queries formatted for other databases; and

locating, in the query lookup table, a selected one of queries corresponding to said one of said data access requests received from the application program; and

substituting said at least one parameter into corresponding positions in the selected one of the queries, as claimed in claims 19 and 22.

Claims 20-21 are allowed over the prior art made of record, because they are dependent from the allowed independent claim 19.

Claims 23-26 are allowed over the prior art made of record, because they are dependent from the allowed independent claim 22.

9. Claim 17 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. The following is a statement of reasons for the indication of allowable subject matter:

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The prior art of record, Jammes et al (U.S. Patent No. 6,484,149), Memmott et al (U.S. Patent No. 6,560,591), Larson (U.S. Patent No. 6,115,705), and Blumenthal (U.S. Patent No. 6,026,409) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

wherein each of the data access requests provided by the application comprises a query name and an argument array, as claimed in claim 17.

Response to Arguments

11. Applicant's arguments filed on 29-January-2004 with respect to the rejected claims 13-16, and 18, in view of the cited references have been fully considered but they are considered moot in view of the new grounds of rejection.


Conclusion

12. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Tony Mahmoudi whose telephone number is (703) 305-4887. The examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (703) 305-3830.

tm

May 12, 2004


DOV POPOVICI
SUPERVISORY PATENT EXAMINER
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